

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TACTUS TECHNOLOGIES, LLC,

Plaintiff,

v.

HMD GLOBAL OY,

Defendant.

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Case No. 2:20-cv-00040-JRG-RSP

DECLARATION OF CRISTIAN CAPELLI

I, Cristian Capelli, declare under 28 U.S.C. § 1746:

1. I am General Manager of Retail and Business Development for HMD America, Inc. (“HMD America”). I have personal knowledge of the matters set forth herein and, if called as a witness, could and would testify competently thereto.

2. As General Manager of Business Development, I am responsible for building relationships with customers and partners in the United States and Canada. My duties include identifying new potential customers and negotiating strategic partnerships for HMD America.

3. I work at HMD America’s headquarters at 1200 Brickell Avenue, Suite 510, Miami, Florida, although I have recently worked remotely due to the coronavirus pandemic.

4. On Wednesday, May 20, 2020, I went to my office for the first time in a long while. While I was there, I heard someone buzz for entry into our offices, which otherwise require keypad access.

5. I opened the door to find a delivery person who was not in uniform and did not identify himself. He asked for my name, which I provided, and then he handed me a large envelope. The contents of that envelope are attached as Exhibit A to this declaration.

6. I did not know, and the delivery person did not tell me, that he was delivering legal documents, or that my accepting the package had any legal effect.

7. I have never accepted service of process for HMD Global or HMD America, and am not authorized to do so. I just happened to be in the office and answer the door.

I declare under penalty of perjury that the foregoing is true and correct. Executed in San Diego, California, on June 9, 2020.


Cristian Capelli